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By: **Harford County Delegation**

Introduced and read first time: February 11, 2004

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2004

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Harford County School Construction Financing Act of 2004**

3 FOR the purpose of authorizing the County Council of Harford County to fix, impose,  
4 and collect, by ordinance, a development impact fee, not to exceed a certain  
5 amount, for new construction or development; requiring the revenues from the  
6 development impact fee to be deposited in a certain special fund and to be used  
7 for certain purposes; requiring municipal corporations in Harford County to  
8 assist the county in the collection of the development impact fee within the  
9 municipal corporations; requiring a certain annual report to be prepared and  
10 submitted to the Harford County Delegation of the General Assembly; ~~providing~~  
11 ~~for the termination of this Act~~; stating legislative intent; and generally relating  
12 to a development impact fee and school construction financing in Harford  
13 County.

14 BY adding to  
15 Article 24 - Political Subdivisions - Miscellaneous Provisions  
16 Section 9-10A-01 to be under the new subtitle "Subtitle 10A. Harford County  
17 School Construction Financing"  
18 Annotated Code of Maryland  
19 (2001 Replacement Volume and 2003 Supplement)

20 Preamble

21 WHEREAS, It is the intent of this Act to authorize the County Council of  
22 Harford County to enact, by local ordinance, a development impact fee on new  
23 construction and development in the county and to require the revenues generated by

1 the fee to be used only for school construction, school site acquisition, school  
2 renovation, school capital expenses, and the reduction of school debt; and

3 WHEREAS, It is also the intent of this Act, if a development impact fee is  
4 enacted by the County Council of Harford County under the authority of this Act, that  
5 the County Council not appropriate or otherwise use any of the money generated by  
6 the development impact fee to supplant the funding that is appropriated each year for  
7 school renovation projects or purposes in the county's budget; now, therefore,

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

11 SUBTITLE 10A. HARFORD COUNTY SCHOOL CONSTRUCTION FINANCING.

12 9-10A-01.

13 (A) THE COUNTY COUNCIL OF HARFORD COUNTY, BY ORDINANCE, MAY FIX,  
14 IMPOSE, AND PROVIDE FOR THE COLLECTION OF A DEVELOPMENT IMPACT FEE NOT  
15 TO EXCEED \$10,000 FOR NEW CONSTRUCTION OR DEVELOPMENT.

16 (B) THE COUNTY TREASURER SHALL DEPOSIT THE REVENUES FROM THE  
17 DEVELOPMENT IMPACT FEE INTO A SPECIAL FUND.

18 (C) THE REVENUES FROM THE SPECIAL FUND MAY BE USED ONLY FOR:

- 19 (1) SCHOOL SITE ACQUISITION;  
20 (2) SCHOOL CONSTRUCTION;  
21 (3) SCHOOL RENOVATION;  
22 (4) SCHOOL DEBT REDUCTION; OR  
23 (5) SCHOOL CAPITAL EXPENSES.

24 (D) A MUNICIPAL CORPORATION WITHIN HARFORD COUNTY SHALL ASSIST  
25 THE COUNTY COUNCIL IN THE COLLECTION OF THE DEVELOPMENT IMPACT FEE  
26 WITHIN THE MUNICIPAL CORPORATION BY:

- 27 (1) COLLECTING AND REMITTING THE FEE TO THE COUNTY; OR  
28 (2) REQUIRING THE FEE TO BE PAID TO THE COUNTY IN ACCORDANCE  
29 WITH THE TERMS OF THE COUNTY ORDINANCE.

30 (E) IF A DEVELOPMENT IMPACT FEE IS ENACTED UNDER THE AUTHORITY  
31 GRANTED TO THE COUNTY COUNCIL BY SUBSECTION (A) OF THIS SECTION, THE  
32 COUNTY SHALL:

1           (1)       CAUSE AN ANNUAL REPORT TO BE PREPARED ON THE REVENUES  
2 GENERATED BY THE DEVELOPMENT IMPACT FEE AND HOW THOSE REVENUES WERE  
3 SPENT; AND

4           (2)       SUBMIT THE REPORT TO THE HARFORD COUNTY DELEGATION OF  
5 THE GENERAL ASSEMBLY ON OR BEFORE MAY 31 OF EACH YEAR.

6       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
7 effect June 1, 2004. ~~It shall remain effective for a period of 10 years and, at the end of~~  
8 ~~May 31, 2014, with no further action required by the General Assembly, this Act shall~~  
9 ~~be abrogated and of no further force and effect.~~